

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 10

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; in line 2, after the first "Companies" insert "- Electric Utility Industry Restructuring"; in line 5, after "companies" insert "requiring the Public Service Commission to conduct certain proceedings to implement the restructuring of the electric utility industry of the State for competitive retail access in accordance with a certain schedule; making this Act an emergency measure; prohibiting the commencement of customer retail access to competitive electric supplies until certain legislation relating to taxes is enacted; and generally relating to public service holding companies, the Public Service Commission, and the restructuring of the electric utility industry in Maryland"; and strike in its entirety line 10.

AMENDMENT NO. 2

On page 2, after line 20, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Public Service Commission shall conduct proceedings to implement the restructuring of the electric utility industry of the State for competitive retail access in accordance with the following schedule:

(a) (1) Enrollment for customer retail access to competitive electric supplies shall commence on April 3, 2000 for all or a portion of investor-owned utility customers.

(2) Customer retail access to competitive electric supplies shall commence on July 3, 2000 for all or a portion of investor-owned utility customers.

(b) (1) On or before July 1, 1998, the investor-owned utilities of the State shall file proposals in adjudicative proceedings of the Commission for stranded cost quantification and recovery mechanisms, price protection mechanisms, and unbundled rates. On or before October 1, 1999, the Commission shall enter orders addressing these matters. The Commission's order addressing

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stranded costs may provide utilities with the opportunity to recover prudently incurred, legitimate, and verifiable net stranded costs that cannot be reasonably mitigated.

(2) On or before December 1, 1999, the Commission shall commence proceedings to explore market power protective measures. On or before June 1, 2001, the Commission shall enter an order addressing market power protective measures.

(c) (1) (i) On or before June 1, 1998, the Commission shall convene a generic roundtable to address utility demand-side management, universal service, customer protection, competitive billing, consumer education, and supplier authorization. On or before August 1, 1999, the Commission shall render a decision on the issues referred to this roundtable.

(ii) On or before September 4, 2000, the Commission shall convene a generic roundtable on competitive metering. The roundtable shall issue its report to the Commission on or before April 2, 2001.

(2) A hearing examiner of the Commission shall preside over each of the roundtables described in this subsection.

(3) Utility companies shall submit proposals on the roundtable issues to the Commission at or before the commencement of each roundtable.

(d) On or before June 1, 1998, the Commission shall convene a working group on generic technical implementation issues for electric industry restructuring. Participants may include industry technical experts and the technical staff of the Commission. The working group shall issue its final report to the Commission on or before June 1, 1999.

(e) On or before November 1, 1999, the investor-owned utilities of the State shall submit to the Commission compliance plans and tariffs to implement electric utility restructuring. The Commission shall issue an order addressing those compliance plans and tariffs on or before February 1, 2000.

(f) On or before August 2, 2000, the Commission shall commence utility-specific proceedings on the provision of default electric supply. The Commission shall issue an order

addressing default electric supply on or before March 1, 2001.

(g) Except for the dates specified under subsection (a) of this section, any date set forth in this section may be adjusted as the Commission determines to be necessary.

(h) The schedule of proceedings specified in this section is not designed to limit the authority of the Commission to conduct any other proceeding that the Commission is authorized to conduct under State law.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the dates set forth in Section 2 of this Act or any other provision of law, customer retail access to competitive electric supplies may not commence until legislation is enacted to restructure Maryland taxes to address the State and local tax implications of restructuring the electric utility industry, which legislation shall include notification to the Commission that the provisions of this section have been satisfied.

SECTION 4. AND BE IT FURTHER ENACTED, That the General Assembly retains authority to adjust, as appropriate, any of the dates of the schedule set forth in Section 2 of this Act to implement the restructuring of the electric utility industry of the State for competitive retail access.”;

in line 21, strike “2.” and substitute “5.”; in the same line, after “That” insert “Section 1 of”; and after line 22, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.